

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VINTERACTIVE, LLC,  
Plaintiff/Counterdefendant,  
v.  
OPTIREV, LLC,  
Defendant/Counterclaimant.

Case No. [15-cv-02903-SI](#)

**ORDER RE: DISCOVERY**

Re: Dkt. No. 38

On March 10, 2016, defendant/counterclaimant OptiRev, LLC filed an individual statement regarding a discovery dispute. OptiRev requests permission to file a motion to compel the production of various documents, such as all copyright registration applications and registrations relating to the subject matter of this litigation. OptiRev states that it has repeatedly requested these documents from VinterActive, and that VinterActive states that the documents are in the possession of its former counsel and that VinterActive has requested the documents from its former counsel. In lieu of the requested documents, VinterActive has produced printouts from the Copyright Office website, which OptiRev contends are incomplete. According to OptiRev, VinterActive disputes the existence of a dispute and VinterActive was unwilling to file a joint statement regarding the discovery dispute.

The Court's standing order provides that in the event that parties are not able to file a joint statement regarding a discovery dispute, each side may file a brief individual statement. As of March 15, 2016, VinterActive has not filed an individual statement.

The Court GRANTS OptiRev's request for permission to file a motion to compel and to

1 seek costs pursuant to Federal Rule of Civil Procedure 37. The Court encourages the parties to  
2 attempt to resolve this dispute without the need for the filing of a motion to compel.

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4 **IT IS SO ORDERED.**

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6 Dated: March 15, 2016

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8 SUSAN ILLSTON  
9 United States District Judge  
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